

Adopt Section 102416.2 to read:

Post-hearing: Renumber Sections 102416.2(e), (f), and (d) to Sections 102416.2(d), (e), and (f) respectively, and Amend Sections 102416.2(d), (f), (g), (h), and (i) to read:

102416.2 REPORTING REQUIREMENTS

102416.2

- (a) A licensee or applicant must report to the Department at the time they apply for a family child care home license, or any time after licensure, if they are licensed as a foster family home or certified as a foster family home through a foster family agency.
 - (b) A licensee must report to the Department any change in household composition including adults moving in or out of the home and anyone, including children, living in the home turning 18 years old.
 - (c) The reports specified in Sections 102416.2(a) and (b) must be made to the Department by telephone or fax within the Department's next business day and during normal working hours (8am to 5pm).
 - (d) When any of the events specified in Section 102416.2(d)(1) occur during the operation of the family child care home, a report shall be made to the Department by telephone or fax during the Department's next business day between (8am to 5pm) and a written report shall be submitted to the Department within seven (7) calendar days following the occurrence of such an incident/injury. The written report shall either be a letter or the Unusual Incident/Injury Report – Family Child Care Home, LIC 624B, (6/03).
- (1) Events that a licensee shall report include the following:
- (A) The death of any child in care from any cause.
 - (B) Any incident or injury to any child that requires professional medical treatment.
 - (C) Any act of violence that occurs while children are in care. For example, any physical altercation between adults or teenagers must be reported, including altercations between children in care resulting in an injury.
 - (D) Any instance where a child in care is missing. For example, any child in care who wanders away from the Family Child Care Home, is lost during an outing, or does not return from school, must be reported even if the child is later found safe.
 - (E) Any physical, sexual, or emotional abuse of any child in care.
 - (F) Fires or explosions occurring in or on the premises of the family child care home.

- (G) Epidemics or suspected outbreaks of communicable diseases involving two or more children.
- (H) Poisonings.
- (I) Catastrophes.
- (2) Information provided on the letter or the LIC 624B (6/03) form shall include the following:
 - (A) Child's first name, middle initial, date of birth, sex, and date of admission.
 - (B) Child's or parent's primary language, (i.e., English, Spanish, Chinese, Russian, etc.)
 - (C) Date and time the incident or injury happened.
 - (D) Date that the parent(s)/authorized representative(s) were notified of the incident or injury.
 - (E) Describe how the incident or injury happened and name of the child(ren) or adult(s) that may have been involved. Include any steps taken to prevent the same type of injury from occurring in the future.
 - (F) Name and telephone number of any doctor or other health care provider that examined the child.
 - (G) Any agency notified, person contacted, date of the contact, and the telephone or fax number of that agency or person.
- (e) The licensee shall keep a copy of the letter or completed LIC 624B (6/03) (Unusual Incident/Injury Report – Family Child Care Home) in the child's file at the Family Child Care Home facility.
- (f) In addition to Section 102416.2(d)(1), the licensee shall also report any injury to a child in their care to the parent(s)/authorized representative(s) of the child no later than the same business day, including injuries that do not require medical attention.
- (g) The licensee shall also report to local law enforcement or child protective services items specified in Section 102416.2(d)(1)(E).
- (h) The items specified in Section 102416.2(d)(1)(F) shall be reported to the local fire authority within 24 hours. In areas not having organized fire services, a report shall be made to the State Fire Marshal within 24 hours.

- (i) The licensee shall report items specified in Section 102416.2(d)(1)(G) to the local health authority when appropriate pursuant to California Code of Regulations, Title 17, Section 2500.
- (1) The licensee shall call the local health authority who will take down the information and provide any needed assistance.

HANDBOOK BEGINS HERE

Title 17, Section 2500, lists the following reportable communicable diseases:

Communicable Diseases:

Acquired Immune Deficiency Syndrome (AIDS)

- + Amebiasis
- + Anisakiasis
- * Anthrax
- + Babesiosis
- * Botulism (Infant, Foodborne, Wound)
- * Brucellosis
- + Campylobacteriosis
- Chancroid
- Chlamydial Infections
- * Cholera
- * Ciguatera Fish Poisoning
- Coccidioidomycosis
- + Colorado Tick Fever
- + Conjunctivitis. Acute Infectious of the Newborn, Specify Etiology
- + Cryptosporidiosis
- Cysticercosis
- * Dengue
- * Diarrhea of the Newborn, Outbreaks
- * Diphtheria
- * Domoic Acid Poisoning (Amnesic Shellfish Poisoning)
- Echinococcosis (Hydatid Disease)
- Ehrlichiosis
- + Encephalitis, Specify Etiology: Viral, Bacterial, Fungal, Parasitic
- * Escherichia coli 0157:H7 Infection
- + Foodborn Disease
- Giardiasis
- Gonococcal Infections
- + Haemophilus influenzae, Invasive Disease
- * Hantavirus Infections
- * Hemolytic Uremic Syndrome
- Hepatitis, Viral
- + Hepatitis A

Hepatitis B (specify acute case or chronic)
Hepatitis C (specify acute case or chronic)
Hepatitis D (Delta)
Hepatitis, other, acute
Kawasaki Syndrome (Mucocutaneous Lymph Node Syndrome)
Legionellosis
Leprosy (Hansen Disease)
Leptospirosis
+ Listeriosis
Lyme Disease
+ Lymphocytic Chriomeningitis
+ Malaria
+ Measles (Rubeola)
+ Meningitis, Specify Etiology: Viral, Bacterial, Fungal, Parasitic
* Meningococcal Infections
Mumps
Non-Gonococcal Urethritis (Excluding Laboratory Confirmed Chlamydial Infections)
* Paralytic Shellfish Poisoning
Pelvic Inflammatory Disease (PID)
+ Pertussis (Whooping Cough)
* Plague, Human or Animal
+ Poliomyelitis, Paralytic
+ Psittacosis
+ Q Fever
* Rabies, Human or Animal
+ Relapsing Fever
Reye Syndrome
Rheumatic Fever, Acute
Rocky Mountain Spotted Fever
Rubella (German Measles)
Rubella Syndrome, Congenital
+ Salmonellosis (Other than Typhoid Fever)
* Scombroid Fish Poisoning
+ Shigellosis
* Smallpox (Variola)
+ Streptococcal Infection (Outbreaks of Any Type and Cases in Food Handlers and Dairy Workers Only)
+ Swimmer's Itch (Schistosomal Dermatitis)
+ Syphilis
Tetanus
Toxic Shock Syndrome
Toxoplasmosis
+ Trichinosis
+ Tuberculosis
* Tularemia
+ Typhoid Fever, Cases and Carriers

Typhus Fever
* Varicella (deaths only)
+ Vibrio Infections
* Viral Hemorrhagic Fevers (e.g., Crimean-Congo, Ebola, Lassa and
Marburg viruses)
+ Water-associated Disease
* Yellow Fever
+ Yersiniosis

* OCCURRENCE OF ANY UNUSUAL DISEASE, OUTBREAKS of ANY
DISEASE (Including diseases not listed in Section 2500).

(*) - to be reported immediately by telephone.

(+) - to be reported by mailing a report, telephoning, or electronically
transmitting a report within one (1) working day of identification of
the case or suspected case.

(No asterisk or cross symbol) - to be reported within seven (7)
calendar days by mail, telephone, or electronic report from the time
of identification.

(#) - when two (2) or more cases or suspected cases of foodborne disease
from separate households are suspected to have the same source of
illness, they should be reported immediately by telephone.

The symbols above (*, + and #) are not as they appear in California
Code of Regulations, Section 2500, however they represent the same
definition as stated in Section 2500.

HANDBOOK ENDS HERE

Authority cited: Sections 1596.81 and 1597.46, Health and Safety Code.

Reference: Sections 1596.72, 1596.73, 1596.81, 1597.05 and 1597.467, Health and
Safety Code; Section 11166, Penal Code; and Title 17, Section 2500.

Adopt Section 102416.3 to read:

Post-hearing: Renumber Section 102416.3(a)(2) to Section 102416.3(b) and Amend Section 102416.3(a)(1)(F) to read:

102416.3 ALTERATIONS TO EXISTING BUILDING OR GROUNDS

102416.3

- (a) Prior to making alterations or additions to a family child care home or grounds, the licensee must notify the Department of the proposed changes specified in Section 102416.3(a)(1).
 - (1) Alterations or additions that a licensee must report include, but are not limited to, the following:
 - (A) Conversion of a garage (either attached or detached) into a "child care" room.
 - (B) Room additions to the family child care home.
 - (C) Installation of in the ground or above the ground swimming pools, spas, fish ponds, decorative water feature, fountains or other bodies of water.
 - (D) Construction of exterior decks or porches.
 - (E) Construction of play equipment including swing sets/climbing structures
 - (F) Any change from an area of the family child care home previously identified as "off limits" to an area where care and supervision will be provided to children in care.
- (b) The Department may require the licensee to obtain an inspection by the local building inspector to ensure that no hazard to the health and safety of children exists as a result of the alteration, addition or construction.

Authority cited: Section 1596.81, Health and Safety Code.

Reference: Sections 1596.72, 1596.73, and 1596.81, Health and Safety Code.

Amend Section 102419 to read:

Post-hearing: Amend Sections 102419(d), (e), and (e)(1) to read:

102419 ADMISSION PROCEDURES AND PARENTAL AND

102419

AUTHORIZED REPRESENTATIVE'S RIGHTS (Continued)

(d) The licensee shall provide to the parent or authorized representative the Family Child Care Consumer Awareness Information, LIC 9212 (10/05).

(~~d~~e) At the time of acceptance of each child into care ~~and for all children in care on August 7, 2002~~, the licensee shall provide the child's parent or authorized representative with a copy of the notice form LIC 995A (~~8/02~~ 9/05), Family Child Care Home Notification of Parents' Rights, ~~and~~ the LIC 995E (~~8/02~~), Caregiver Background Check Process form and the Family Child Care Consumer Awareness Information, LIC 9212 (10/05).

(1) The licensee shall request the child's parent or authorized representative to sign and date the bottom portion of the notice form LIC 995A (~~8/02~~ 9/05), which acknowledges that the parent or authorized representative has received and read the LIC 995A. The bottom portion of this form must be kept in the child's file as proof that the parent or authorized representative has been notified of his or her rights and received a copy of the LIC 995E (~~08/02~~), Caregiver Background Check Process form and the Family Child Care Consumer Awareness Information, LIC 9212 (10/05). (Continued)

(3) Reserved

(A) Upon a finding of noncompliance with a plan of correction for violation of Sections 102419(a)(8), (b), (c), (d), (~~e~~), (~~d~~) (~~e~~)(1), or (~~d~~) (~~e~~)(2), the Department shall impose a civil penalty of fifty dollars (\$50) per day until the deficiency is corrected.

(B) Regardless of whether the licensee complies with an initial plan of correction in the time allotted, if the licensee subsequently violates any provision of Sections 102419(a)(8), (b), (c), (d), (~~e~~), (~~d~~) (~~e~~)(1), or (~~d~~) (~~e~~)(2) within 12 months of the initial citation, the Department shall assess a civil penalty of \$150 plus an assessment of \$50 per day until the deficiency is corrected.

(C) Regardless of whether the licensee complies with the deficiency in Section 102419(b)(3)(B), if the licensee subsequently violates any provision of Sections 102419(a)(8), (b), (c), (d), (~~e~~), (~~d~~) (~~e~~)(1), or (~~d~~) (~~e~~)(2) within 12 months of the citation and assessment in Section 102419(b)(3)(B), the Department shall assess a civil penalty of \$150 plus an assessment of \$150 per day until the deficiency is corrected.

(ef) (Continued)

(fg) (Continued)

(gh) (Continued)

(hi) The licensee shall provide a copy of the Department issued Addendum to Notification of Parent's Rights (Regarding Removal/Exclusion) (LIC 995B Rev (05/03)), sent by the Department, that is still in effect, to one parent or authorized representative of every child when the parent or authorized representative arranges for child care services or on the first day the child receives care, whichever is first. (Continued)

(2) The licensee may provide the parent or authorized representative with the Family Child Care Home Explanation of Removals/Exclusions and Reinstatement, LIC 995D (5/03).

(ij) The licensee shall obtain a signed and dated receipt from one parent or authorized representative that acknowledges that he/she was given a copy of the addendum specified in Section 102419 ~~(h) and (h)(1)~~ (i) and (i)(1).

(jk) The licensee shall maintain copies of the signed and dated receipt required in Section 102419 (ij) in each child's file. Copies shall be made available to the Department upon request.

Authority cited: Section 1596.81, Health and Safety Code.

Reference: Sections 1596.72, 1596.73, 1596.853, 1596.857, 1596.859, 1596.872, 1596.874, 1597.07, 1597.30, and 1597.56, Health and Safety Code.

Amend Section 102423 to read:

Post-hearing: Amend Section 102423 to read:

102423 PERSONAL RIGHTS (Continued)

102423

- (b) The licensee shall give authorized representatives of children in care the Family Child Care Consumer Awareness Information, LIC 9212 (10/05), a consumer education and awareness handout. ~~The Department shall provide this handout and distribute it to licensees.~~

Authority cited: Section 1596.81, Health and Safety Code.

Reference: Sections 1596.81(b) and 1597.30, Health and Safety Code.